

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY R. B.,

Plaintiff,

v.

Case No. 23-cv-10988
Honorable Linda V. Parker

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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OPINION AND ORDER

On April 27, 2023, Plaintiff filed this lawsuit challenging a final decision by Defendant Commissioner of Social Security (“Commissioner”) denying Plaintiff’s application for social security benefits. (ECF No. 1.) On June 29, 2023, this Court referred the lawsuit to Magistrate Judge David R. Grand for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation (“R&R”) on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 9.) The parties subsequently filed cross-motions for summary judgment. (ECF Nos. 11, 13.)

On August 12, 2024, Magistrate Judge Grand issued an R&R, recommending that this Court deny the Commissioner’s Motion for Summary

Judgment, grant Plaintiff's Motion for Summary Judgment, and remand the matter for further proceedings consistent with the R&R. (ECF No. 16.) At the conclusion of the R&R, Magistrate Judge Grand advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.*) He further specifically advises the parties that "[f]ailure to file specific objections constitutes a waiver of any further right to appeal." (*Id.*) Neither Plaintiff nor Defendant filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Grand. The Court therefore adopts Magistrate Judge Grand's recommendations.

Accordingly,

IT IS ORDERED, that Plaintiff's Motion for Summary Judgment (ECF No. 11) is **GRANTED**.

IT IS FURTHER ORDERED that the Commissioner's Motion for Summary Judgment (ECF No. 13) is **DENIED**.

IT IS FURTHER ORDERED, that this matter is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: September 3, 2024